

IC 15-20-4

Chapter 4. Spay-Neuter Requirement for Animal Care Facilities

IC 15-20-4-1

"Animal care facility"

Sec. 1. As used in this chapter, "animal care facility" refers to an animal care facility (as defined in IC 6-9-39-1) that has companion animals that are available for adoption. The term includes the following:

- (1) Governmental and private entities.
- (2) Animal rescues.

As added by P.L.201-2016, SEC.3.

IC 15-20-4-2

"Companion animal"

Sec. 2. As used in this chapter, "companion animal" means a dog or a cat.

As added by P.L.201-2016, SEC.3.

IC 15-20-4-3

Mandatory spay or neutering

Sec. 3. Beginning July 1, 2021, except as provided in section 4 of this chapter, a companion animal shall be spayed or neutered before adoption from an animal care facility.

As added by P.L.201-2016, SEC.3.

IC 15-20-4-4

Exemptions

Sec. 4. (a) A companion animal may be exempted from the requirements of section 3 of this chapter if a veterinarian (as defined in IC 15-17-2-102) determines, following an examination, that the companion animal:

- (1) has a permanent health condition that precludes safe administration of a spay-neuter procedure;
- (2) has a health condition that precludes safe administration of a spay-neuter procedure, but:
 - (A) the veterinarian determines that the health condition is not permanent and can be treated to allow for safe administration of a spay-neuter procedure not more than one hundred twenty (120) days after the date of the examination; and
 - (B) a deposit of seventy-five dollars (\$75) is made to the animal care facility before adoption; or
- (3) is less than six (6) months of age on the date of the examination and:
 - (A) the veterinarian determines that the companion animal cannot be safely spayed or neutered due to the age of the

animal; and

(B) a deposit of seventy-five dollars (\$75) is made to the animal care facility before adoption.

(b) In addition, a companion animal may be exempted from the requirements of section 3 of this chapter if:

(1) the companion animal is less than six (6) months of age, but is at an age as determined by the animal care facility in consultation with a veterinarian (as defined in IC 15-17-2-102) at which the companion animal can be safely spayed or neutered; and

(2) a deposit of seventy-five dollars (\$75) is made to the animal care facility before adoption.

As added by P.L.201-2016, SEC.3.

IC 15-20-4-5

Deposits for animal adoption; return of deposit; forfeiture of deposit

Sec. 5. (a) A deposit made under section 4(a)(2)(B), 4(a)(3)(B), or 4(b)(2) of this chapter shall be held by the animal care facility in a separate account. The deposit shall be:

(1) returned to the depositor not later than one hundred twenty (120) days after the date of receipt of the deposit by the animal care facility if proof is given that a spay-neuter procedure has been completed on the companion animal; or

(2) forfeited after one hundred twenty (120) days after the date of receipt of the deposit by the animal care facility, if proof is not given under subdivision (1).

(b) If a deposit is forfeited under subsection (a)(2), the animal care facility holding the deposit shall remit the forfeited deposit amount to the bureau of motor vehicles within a reasonable time. The bureau of motor vehicles shall deposit any amounts received under this section in a trust fund established under IC 9-18.5-12-14(f), for a special group that provides spay-neuter services.

As added by P.L.201-2016, SEC.3. Amended by P.L.198-2016, SEC.647.